

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

Barbara McCarty,	:	
Petitioner,	:	
	:	
v.	:	File No. 2:04-CV-321
	:	
Vermont State Mental	:	
Hospital, Paul Jarris,	:	
Commissioner, Vermont	:	
Department of Health	:	
Corrections,	:	
Respondent.	:	

ORDER

The Report and Recommendation of the United States Magistrate Judge was filed April 14, 2006. After careful review of the file and the Magistrate Judge's Report and Recommendation, no objections having been filed by any party, this Court ADOPTS the Magistrate Judge's recommendations in full for the reasons stated in the Report.

The respondent's motion to dismiss for lack of exhaustion (Paper 25) is **DENIED**. The parties have 30 days in which to submit additional briefing with respect to McCarty's petition. McCarty's motion for a stay (Paper 26) is **DENIED**.

Dated at Burlington, in the District of Vermont, this 3rd day of May, 2006.

/s/ William K. Sessions III
William K. Sessions III
U. S. District Judge